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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,708	12/27/2001	Elke Pogge Von Strandmann	POGGE VON STRANDMANN(PCT)	1813

25889 7590 07/29/2003

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EXAMINER

WITZ, JEAN C

ART UNIT	PAPER NUMBER
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1651

DATE MAILED: 07/29/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

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DETAILED ACTION

Newly submitted claims 11-17 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The originally presented claims and the newly presented claims are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case, the product as claimed can be used in a materially different process such as disclosed by the Crabtree et al. patent.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 11-17 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The reply filed on May 21, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Due to the withdrawal of all claims present in the application, there are no claims available for examination.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to

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avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Applicants are advised that the claims presented in the response filed May 21, 2003 are not consistent with the claim indicated as allowable in the Office Action mailed February 25, 2003 as Paper No. 14. A claim limited to the following language would be allowed if presented as a response to this Office Action:

A method for treating disorders characterized by a reduction in pigmentation comprising the administration of an effective amount of the protein DCoH.

Claim language that include a transfer medium that is a virus or that address hyperpigmentation disorders, if presented, will still remain withdrawn from consideration.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean C. Witz whose telephone number is (703) 308-3073. The examiner can normally be reached on 6:30 a.m. to 4:00 p.m. M-Th and alternate Fridays.

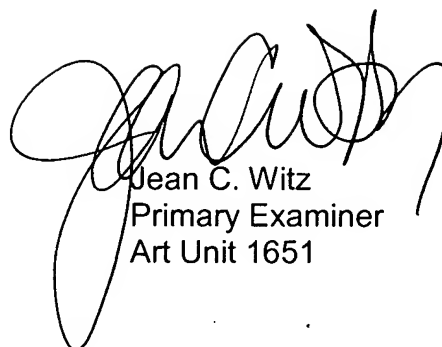
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Wityshyn can be reached on (703) 308-4743. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9307 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

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Jean C. Witz
Primary Examiner
Art Unit 1651

July 28, 2003